

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYASHTA 1929

Bail Appl..No. 3457 of 2007()

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CRIME NO.82/2007 OF KUDIYANMALA POLICE STATION

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PETITIONER

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XAVIER,S/O.SEBASTIAN,VADAKKEL HOUSE,  
NELIKUTTY,THALIPARMBA,KANNUR DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:

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STATE OF KERALA RERESENTED BY THE SUB  
INSPECTOR OF POLICE,KUDIYANMALA POLICE STATION-  
THROUGH THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA  
ERNAKULAM,KOCHI-31.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**V. RAMKUMAR, J.**

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Bail Application No.3457/2007  
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DATED: 8-6-2007

**O R D E R**

In this Petition filed under Section 439 Cr.P.C. the petitioner who is accused in Crime No. 82/2007 of Kudiyanmala Police Station for offences punishable under Sections 450 and 376 IPC seeks his enlargement on bail. Petitioner was arrested on 18.5.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner, the present stage of investigation of the case and the other circumstances of the case, I am inclined to grant bail to the petitioner but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 13.6.2007, on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Thaliparamba and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 am. and 11 am. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

**V.RAMKUMAR,  
JUDGE**

mrCS

the learned Public Prosecutor.

3. Having regard to the nature of the offence and the other circumstances of the case, I am inclined to grant bail to the petitioner, but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 6.3.2007, on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Sulthan Bathery, and subject to the following conditions: